

New York Post

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NEW YORK, SUNDAY, SEPTEMBER 12, 1959

Dialogue and Noise

President Eisenhower's address to the nation was a welcome expression of affirmative statesmanship. It was an effective rebuttal to the senseless clamor in many places for more non-statesmanship.

The speech cast Ike in the role he fills best—that of a leader of the free world earnestly searching for some balance of peace with justice through patient negotiation. It was the kind of speech that has shaped the world's image of him as a man responsive to the hopes and aspirations of an anxious humanity. It was calm, reasonable and cautiously hopeful. It could hardly be described as a full report on his recent fence-mending journey in Europe, but it was a measured expression of the earnestness of his quest.

The contrast between the President's demeanor and the passionate outcries of those opposed to his peacemaking efforts symbolizes the difficulties that confront him at home. Fortunately, the full-page manifestoes that have sprouted in the nation's press trumpeting the futility of all dialogue between East and West, and specifically of any between Ike and Soviet Premier Khrushchev, represent only a small minority of public opinion.

A Gallup Poll published Friday shows that 89 per cent of Americans questioned hope that Khrushchev will get a courteous reception here next week, while only four per cent hope he won't. Courtesy does not mean fawning; it means only the expression of a desire to communicate at a moment when all our lives are at stake, and when truculent gestures are futile and empty.

The dissenting view reflects more than the understandable bitterness and distrust of exiles from captive nations and other victims of Russian oppression. It is an expression of thinking in some high places of our government which could well lead to catastrophe despite all of Ike's efforts. It raises the alarming question once again as to who makes the foreign policy of the nation.

While the President speaks of negotiation, there are plainly influential figures in the Pentagon and the Central Intelligence Agency who preach annihilation at least in one corner of the troubled world. As Marquis Childs reported Thursday, a powerful drive is on within the upper bureaucracy in both Defense and Intelligence to persuade the President that the only answer to the Communist threat in Laos is the dispatch of American troops armed with atomic weapons.

The apparent supposition among these brushfire warriors is that the challenge which confronts statesmanship there can be wiped out with a few quick tricks of nuclear magic.

This madness is fortunately not total either in the Pentagon or in CIA. But, judging from reports out of Laos that have appeared in the Wall Street Journal and other places, there is reason to believe our policy on the scene is influenced less by the President than by those who pretend beavers more adept in conspiracy than in diplomacy.

The thrust in Laos cannot be simple-mindedly met with safety assume from what the President has said that he is well aware of that. Those who counsel this course are blind as well as mad; what they propose is as likely to wipe the West out of Asia as a continental wave of resentment as it is to wipe the Communists out of Laos—if, in fact, it doesn't bring on the final holocaust all sane men are trying to prevent.

The purpose of the coming dialogue between Ike and Khrushchev is to seek a road to peace that will lead to Laos as well as to Berlin and onward. The chances of success, admittedly small, are further diminished by the yelping of war dogs in the background. We hope that in the coming days the President will make it repeatedly clear in the Washington kennels that what he said this week is the Voice of America.

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September 2

solely for the economic benefit of the sanitary district.

Now that the Court has appointed a master, he should handle the matter. Perhaps it should be referred to the Commission under the authority of article IV of the Boundary Waters Treaty of 1909.

Certainly diversion is unnecessary. It involves the rights, obligations and interests of the United States and Canada, as well as the litigating States and the inhabitants thereof.

REASONS FOR DEFERRING DIVERSION

1. The legislation will jeopardize our friendly relations with Canada. Canada is the best friend we have got in the world. Besides that she's our best neighbor, our best customer.

The two notes which follow, which I ask to be printed at the end of my remarks, clearly demonstrate how inappropriate it would be for Congress to take action.

2. The Great Lakes watershed, Canada and the United States are trustees thereof. If the door is opened now a flood of requests will come to the Congress from other communities along the St. Lawrence and in other States. Already the Ohio communities have discussed taking from Lake Erie water to the Ohio River watershed, and recently a group of Texans has suggested that a pipeline be built to the Great Lakes to tap the water thereof.

3. The increase in diversion comes at a time when the Great Lakes are headed for a record low lake level. At a time when every inch of diversion accentuates great losses in shipping, hydroelectric power plants on the Niagara and St. Lawrence River and also the harbors of port cities.

4. We and Canada have put into the St. Lawrence development between us a billion dollars. The utilization of the Seaway requires high water levels. Chicago diversion will nullify, to some extent, the benefits derived from the St. Lawrence Seaway.

U.S. ARMY ENGINEERS REPORT

1. The engineers have stated that a temporary 3-year diversion of 1,000 cubic feet per second would lower Lakes Michigan-Huron by five-eighths of an inch and Lakes Erie and Ontario would be lowered by three-eighths of an inch.

They also stated that an increased diversion of 1,000 cubic feet per second at Chicago would affect the flow and production of power in the Niagara River, the St. Lawrence River and in the Illinois hydroelectric plants—having an adverse effect on hydroelectric energy evaluated at \$408,000 to \$918,000.

2. The permanent diversion of 1,000 cubic feet per second would have the effect of lowering the levels in Lake Michigan-Huron, and the estimated annual average economic loss to the U.S. Great Lakes fleet would be \$240,000.

3. The evidence of the chairman of the Power Authority of New York estimated by 1 year additional diversion at Chicago of 1,000 cubic feet per second the total loss to Canada and the power authority would be \$1,142,000, and as was suggested, it is plain that H.R. 1 is designed to open the door to a permanent additional diversion of 1,000 cubic feet per second.

4. There has been plenty of evidence to show that the port cities of the Great Lakes would sustain very substantial damages to their harbors and port cities if H.R. 1 were to become law. Every fraction of an inch of loss in lake levels to artificially lower the Great Lakes due to a diversion at Chicago, would cost the lake port cities thousands of dollars annually.

5. The lake carriers testified that an additional diversion of 1,000 cubic feet per second at Chicago with the resultant lowering of the lake would result in a loss of approximately \$2,500,000.

CONCLUSION

1. The waters of Lake Michigan are interstate in character.

2. Five States: Illinois, Michigan, Minnesota, Indiana, and Wisconsin in 1955 approved the so-called Great Lakes Basin Compact, but Illinois Congressmen, following in the steps of their predecessors, kept on pressing Congress, even though the Supreme Court has returned and recently taken action and again appointed a master.

3. There are some real nice questions of law involved.

(a) Does Congress have the power to authorize the transfer of huge quantities of water from the Great Lakes-St. Lawrence watershed to the Mississippi watershed with substantial damage to the Great Lakes States, the municipalities located on the Great Lakes, and their people?

(b) We believe not. U.S. 387. The Court in *Wisconsin v. Illinois*, 378 U.S. 387, has answered that question definitely. That it is beyond the power of Congress and the Federal Government, particularly when made to create an artificial waterway to divert water from one watershed to another.

(c) That the power in Congress goes to the constitutional provision to regulate commerce or navigation, and that sewage disposal or sanitation is not a legitimate object of legislation.

(d) Neither is the development of power at Lockport, Ill., a valid object under the Court's decision.

(e) Now that the Supreme Court has again appointed a master, it is the proper machinery to dispose of this matter.

(f) That the notes from Canada, with whom we have been at peace for 140 years, indicate a really substantial reason for Congress not to take action on this bill.

(g) That it is unconstitutional for Congress by additional diversion to prefer Chicago over the ports of the other States.

(h) That an additional diversion would work injury to the other States by depriving them and their citizens and property owners and property without the due process of law (378 U.S. 387).

(i) That, in accordance with the testimony of Colonel Nauman, of the Corps of Engineers, additional diversion is not needed on the 9-foot channel of the Illinois Waterway.

(j) That taking water from Lake Michigan and transferring it to another watershed to the detriment of the first watershed is neither just, legal, nor equitable.

(k) That the only permanent and effective way of cleaning up the drainage canal and the Illinois River is by keeping out of them any untreated, or partially treated, and other material that pollutes the water.

4. The International Joint Commission has definitely stated that if any increased diversion will have the effect of partially lowering the levels of the boundary waters, that it is not within the Congress to attempt to change the amount of the present authorized diversion. Under the Boundary Waters Treaty of 1909, our two nations divested themselves of all authority over the boundary waters as far as raising, lowering, or diverting them were concerned.

Let me recapitulate. Aside from the question of jurisdiction and power of Congress in the premises, no necessity or justifiable excuse exists for increasing the diversion of water from the Great Lakes-St. Lawrence system through the Chicago drainage canal.

1. The Great Lakes are international waters and no additional diversion should be permitted without the agreement of Canada and the States bordering on the Great Lakes;

2. The Illinois Waterway has more than enough water to handle all of the traffic and freight available and last year handled about 22 million tons of cargo;

3. Michigan could not stop any erosion to riparian property on the Great Lakes due to high waters and winds; other means to minimize such damages are effective;

4. The Great Lakes are now in the downward movement of the cycle, with Lake Michigan 8 feet lower today than in August of 1952, and the Great Lakes will have new levels for the next years;

5. Additional diversion will not clean up any objectionable conditions in the Illinois Waterway as long as the Sanitary District of Chicago and industries, municipalities, and individuals continue to dump raw or partially treated sewage, chemicals and other material in the waterway;

6. Any additional diversion will result in large and continuing damage to the Great Lakes and municipalities on the Great Lakes and their people, as witnesses and the United States Supreme Court pointed out;

7. Chicago today has no health problem related to the diversion issue;

8. President Eisenhower in his veto message of September 8, 1954, and in his veto in 1956, set forth succinctly the reasons why additional water from Lake Michigan through the Chicago drainage canal should not be authorized by Congress. (CONGRESSIONAL RECORD, July 27, 1956, vol. 102, No. 1030, p. 18768.)

9. The State of Illinois has, as a matter of official State policy as evidenced in its adoption of the Great Lakes Basin compact, recognized the justice and desirability of settling the Chicago water diversion controversy by agreement among all of the affected States and Canadian provinces, and not by Federal legislation. President Eisenhower, in his September 1954 veto of the diversion bill, indicated that he approved of an agreement between the interested Great Lakes States before authorizing additional diversion.

The Significance of Laos—Two Articles

EXTENSION OF REMARKS

OF

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 2, 1959

Mr. COHELAN. Mr. Speaker, two different articles by Columnists Marquis Childs and Joseph Alsop—both appearing in the Washington Post—point up the significance of recent outbreaks in Laos. Columnist Childs suggests some differences between United States and British policy on Laos which can, as he says, "in a different atmosphere loom large indeed" although they are now being avoided. On the other hand, Mr. Alsop relates the problem of Laos to the question of coexistence. While these two observers appear to have some conflicting ideas about what is happening in Laos, their thoughts are helpful to those who seek to understand the significance of this development and, for that reason, I include both articles in the Record under permission to extend my remarks:

LONDON DIVISION MASKED BY SMILES

(By Marquis Childs)

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